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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,580	08/09/2001	Vugranam C. Sreedhar	YOR920010262US2	2877

7590 10/14/2005

Ryan, Mason & Lewis, LLP
Suite 205
1300 Post Road
Fairfield, CT 06430

RECEIVED
OCT 18 2005

EXAMINER

VO, TED T

ART UNIT	PAPER NUMBER
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2191

DATE MAILED: 10/14/2005



Please find below and/or attached an Office communication concerning this application or proceeding.

DOCKETED

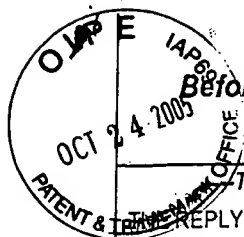
RECEIVED: 10/18/05

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w/2 month ext.

11/23/05 - 6 month date



**Advisory Action
Before the Filing of an Appeal Brief**

09/925,580

SREEDHAR, VUGRANAM C.

Examiner

Art Unit

Ted T. Vo

2191

The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 19 September 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: 2-4, 10-12, 18

Claim(s) withdrawn from consideration: _____

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____
13. ☐ Other: _____

Ted T. Vo
TED T. VO
Primary Examiner



BEST AVAILABLE COPY

Continuation of 11. does NOT place the application in condition for allowance because:

With regards to the argument of the claimed limitation "utilizing an attach command to attach at least one of said at least one input port to output port", the Examiner has cited the components that have input ports and output ports; these ports are attached together as given in Figure 1. The reference, Magee, discusses a tool "Darwin" that does programming these components, and the attachments of the components. The attachments are performed via the tool, the computers' operations (P. 258, left col., first paragraph), or the interface instances (see all reference). Applicants' argument did not point out the patentable novelty of the Claims (see MPEP 714.04), but relied on one broad passage seen ONLY in the specification, "Each input port 112 in a component 110 should be attached (using the attach command) to some concrete class with in the component 110". This specification's description based on the short mentioning of the above passage does not patentable different to the components and the components' attachment shown in the reference.

It should be note that the basis computer elements such as keyboard/mouse also provide connections, and they are not novel. It should be noted that, the attachment shown in the specification more relied on common definitions such as "interface", "template" (spec. p.10), or instructions "attach" implemented on pieces of code (spec. p.6). These elements/features are not patentable different from common programming code such as "interface" or instruction, "bind"/"binding" that exist in the reference. .



Attorney Docket No. YOR920010262US2

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicant(s) Vugranam C. Sreedhar
Docket No.: YOR920010262US2
Serial No.: 09/925,580
Filing Date: August 9, 2001
Group: 2192
Examiner: Ted T. Vo

I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Signature: [Signature] Date: October 21, 2005

Title: Method and Apparatus for Programming Software Components

TRANSMITTAL LETTER

Mail Stop AF
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is the following document relating to the above-identified patent application:

- (1) Notice of Appeal; and
- (2) Petition for Extension of Time.

There is an additional fee of \$500.00 due in conjunction with this submission under 37 CFR §1.17(b). Please charge **IBM Corporation's Deposit Account No. 50-0510** the amount of \$500.00 to cover the submission under CFR §1.17(b). In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **Deposit Account No. 50-0510** as required to correct the error. A duplicate copy of this letter and a duplicate copy of the Notice of Appeal are enclosed.

Respectfully submitted,

[Signature]

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Dated: October 21, 2005